

Applicant : Yulun Wang et al.
Serial No. : 10/666,922
Filed : September 18, 2003
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Attorney's Docket No.: 11030-008004

REMARKS

Claims 10-22 were pending in the application and were rejected. Claims 10-15 and 17-22 have been amended. New claims 23-32 have been added. Reconsideration of the rejected claims and allowance of the new claims is respectfully requested in view of the amendments and the following remarks.

1. Response to Double Patenting Rejections

Claims 10-22 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-15 of U.S. Patent No. 6,642,836. Applicant respectfully traverses the rejection.

U.S. Patent No. 6,642,836 and the instant application are commonly owned by Intuitive Surgical, Inc. A terminal disclaimer for the instant application accompanies this response and shows the chain of title from the inventors to Intuitive Surgical, Inc. The assignment of U.S. Patent No. 6,642,836 to Intuitive Surgical, Inc. is recorded in the Patent and Trademark Office at Reel 015370, Frame 0799.

Applicant respectfully submits that the double patenting rejection is overcome by the filing of the accompanying terminal disclaimer.

2. New Claims

New claims 23-32 have a different scope than claims 1-15 of U.S. Patent No. 6,642,836. Therefore, the double patenting rejection does not apply to new claims 23-32.

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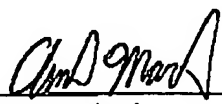
3. Conclusion

The applicant submits that all claims are in condition for allowance and asks that they be allowed. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date:

June 10, 2005



Clinton J. Martin
Reg. No. 56,407

Customer No.: 26182
Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, California 94063
Telephone: (650) 839-5070
Facsimile: (650) 839-5071

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